



## Frequently Asked Questions

### **What is the issue?**

Buskers are musicians or entertainers who perform in public places, usually seeking gratuities. Some buskers often exceed a reasonable sound level, disrupting their residential neighbors and local businesses. The District needs to establish reasonable and enforceable standards that provide balance among these legitimate, but conflicting uses; the buskers' ability to attract and receive donations and residents and workers' reasonable use of their homes and workplaces. Excessive sound levels should be controlled and enforced as a matter of fairness to all and to ensure quality of life in a growing urban environment. No one party, here the buskers, should unilaterally decide that balance.

### **How would you like this issue resolved?**

The City Council should pass legislation defining and enforcing a reasonable balance to reduce excessive sound levels. Other jurisdictions have successfully addressed the issue.

### **What is the Turn It Down Coalition?**

The Turn It Down Coalition is a broad group of 250+ District residents, workers and businesses including medical facilities, offices, hotels and restaurants that are impacted by chronic excessive busker sound levels and want the City Council to act.

### **What is the goal of your group?**

Simply to do what other cities have and address and reduce excessive sound levels. The Turn It Down Coalition in no way intends to prevent or impede the ability of street performers to play what and where they want and to accept donations, the goal is only to address the specific issue of excessive sound levels.

### **What types of organizations or people make up the "Turn It Down" Coalition advocating for action?**

A broad group of DC residents, small and large businesses, associations, medical facilities, non-profits, hotels and restaurants. Impacted residential and private sector stakeholders come from throughout the city and are directly exposed to excessive sound levels.

### **Would this limit free speech?**

The Coalition does not propose to regulate or limit the type or content of *any* speech.



**Isn't there already a law in place?**

The District's current Noise Control Act is 40 years old and inadequate. Its provisions do not cover buskers' sound levels in downtown and do not effectively address the widespread availability of portable amplification.

**Is there a current way to enforce the sound level from buskers?**

Under the current law, the Metropolitan Police Department and the District's Attorney General do not have a way to effectively enforce the buskers' excessive sound levels in the downtown area.

**What would "Turn It Down" propose the Council do to address the issue?**

As has been successfully done in other cities, the Council should limit the sound level of buskers so that it is not *"plainly audible to an individual of normal hearing at a vertical, horizontal, or diagonal distance of 100 feet or more from the sound source."* No one is making a donation from 100 feet away so this approach, which is similar to how other cities have resolved the issue, shouldn't have an impact on busker's donations. It exempts demonstrations and other events that have received permits.

The proposed bill has been "decriminalized" from an earlier draft. Violations could result in a fine, but that would mean repeated violations after warnings and no jail.

**Has legislation been passed in any other cities?**

There are legislative and judicial precedents where other cities have successfully defined that balance between buskers continuing to play and making a living and residents and workers' reasonable use their homes and workplaces; union activity has not stopped and First Amendment rights have not been infringed. Cities that have successfully addressed buskers' sound levels include [New Orleans](#), [Portland, OR](#), [Cambridge, MA](#), [San Francisco](#), [Chicago](#) and [New York City](#). Other examples include places like Atlanta, GA, Boulder, CO San Antonio, TX, Savannah, GA and Atlantic City, NJ, where no amplification is permitted at any time, and in some places like Austin, TX and Charlotte, NC, additional permitting or licensing is required to use amplification. In Los Angeles, CA, Omaha, NE and Dallas, TX, no amplification is allowed in places close to schools, hospitals, nursing homes and residential areas/homes.

**Residents living in or moving to an urban mixed use community should expect to hear street noise. Why don't they move?**

When people live in cities they anticipate there to be a certain level of noise and sounds. It goes with the territory, especially if they move into an urban mixed use community. Many of these residents and businesses were here before the buskers. Some have moved more recently. However, street musicians'



use of amplification and the size of some of the busker groups have greatly increased in the past five years, and have resulted in much louder performances. The sound levels far exceed current D.C. statutes, but are essentially unenforceable downtown. The sustained nature of the sound is unique to buskers. Car alarms, sirens and other street noises do not have a duration exceeding several hours, while some buskers play for many hours at a time and often repeating the same songs several times within a single performing session. For some residents, the cost of their residence has lost value due to the sound level and they are unable to sell since buyers are scared off by the loud volume.